



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/533,250	04/29/2005	Olli Rantapuska	915-006,079	5305

4955 7590 07/17/2009  
WARE FRESSOLA VAN DER SLUYS & ADOLPHSON, LLP  
BRADFORD GREEN, BUILDING 5  
755 MAIN STREET, P O BOX 224  
MONROE, CT 06468

EXAMINER

HO, HUY C

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

07/17/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/533,250

**Applicant(s)**

RANTAPUSKA, OLLI

**Examiner**

HUY C. HO

**Art Unit**

2617

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 April 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8, 10 and 13-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10 and 13-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments filed 04/06/2009, with respect to claims 1-8, 14-16, 18 (Previously Presented), claims 10, 13, 17 (Currently Amended), have been considered but they are not persuasive and claims 19-24 (New) are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless - (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-8, 10 and 13-18 are rejected under 35 U.S.C. 102(e) as being anticipated over Roberts et al (US 2004/0002843).

Consider claim 1, (Previously Presented) Roberts discloses a method (see the abstract), comprising:

detecting an initiation event for establishing a simulated communication in a terminal device (see the abstract, figure 2, pars [12], [41], [68], [69], see the provisional application, page 1 lines 14-17, page 5 lines 5-11, page 6 lines 5-10, 17-20, 24-25, page 12 figure 3, page 13 lines 15-19),

wherein said terminal device is configured to receive messages from a second device (see figure 12, paragraph [70], disclosing the client device 1201 comprising a simulation engine in the memory of the device, and the device 1201 communicates and responds accordingly with other wireless devices via a network).

determining properties of said detected initiation event, generating a simulated message related to said determined properties (see pars [40]-[41], [51], [68]-[70], see the provisional application, page 1 lines 14-17, page 5 lines 5-11, page 6 lines 5-10, 17-20, 24-25, page 12 figure 3, page 13 lines 15-19), said message being generated from data stored in a storage (see figure 10, numbers 1013-1015, pars [64]-[66], describing various data repositories in a device, thus disclosing storage);

presenting said simulated message via said standard communication functionality of the terminal device (pars [92], [96], see the provisional application, page 1 lines 14-17, page 5 lines 5-11, page 6 lines 5-10, 17-20, 24-25, page 12 figure 3, page 13 lines 15-19, page 21 lines 18-34), where said standard communication functionality is further configured for presenting messages received from the second device (see figure 12, paragraph [70], disclosing the client device 1201 comprising a simulation engine in the memory of the device, and the device 1201 communicates and responds accordingly with other wireless devices via a network).

wherein said simulated message has the appearance of a typical message received from the second device and presented via (see figure 12, paragraph [70], disclosing the client device 1201 comprising a simulation engine in the memory of the device, and the device 1201 communicates and responds accordingly with other wireless devices via a network), said standard communication functionality (pars [90]-[92], [99], describing the simulation engine interacts with the user device when the user types in not-canned questions in many ways, including changing states of the device, ringing, text, audio, or graphic form, see the provisional application, page 1 lines 14-17, page 5 lines 5-11, page 6 lines 5-10, 17-20, 24-25, page 12 figure 3, page 13 lines 15-19, page 21 lines 18-34).

Consider claim 10, (currently amended) Robarts et al. teach a computer-readable storage medium having program code stored thereon, wherein said program code run on a computer or network device, carries out a method comprising (see Robarts, the abstract, pp [2]):

detecting an initiation event for establishing a simulated communication in a terminal device (see the abstract, figure 2, pars [12], [41], [68], [69], see the provisional application, page 1 lines 14-17, page 5 lines 5-11, page 6 lines 5-10, 17-20, 24-25, page 12 figure 3, page 13 lines 15-19), wherein said terminal device is configured to receive messages from a second device (see figure 12, paragraph [70], disclosing the client device 1201 comprising a simulation engine in the memory of the device, and the device 1201 communicates and responds accordingly with other wireless devices via a network);

determining properties of said detected initiation event, generating a simulated message related to said determined properties (see pars [40]-[41], [51], [68]-[70], see the provisional application, page 1 lines 14-17, page 5 lines 5-11, page 6 lines 5-10, 17-20, 24-25, page 12 figure 3, page 13 lines 15-19), said message being generated from data stored in a storage (see figure 10, numbers 1013-1015, pars [64]-[66], describing various data repositories in a device, thus disclosing storage), and

presenting said simulated message via a standard communication functionality of the terminal device (pars [92], [96], see the provisional application, page 1 lines 14-17, page 5 lines 5-11, page 6 lines 5-10, 17-20, 24-25, page 12 figure 3, page 13 lines 15-19, page 21 lines 18-34), wherein said standard communication functionality is further configured for presenting messages received from the second device ((see figure 12, paragraph [70], disclosing the client device 1201 comprising a simulation engine in the memory of the device, and the device 1201 communicates and responds accordingly with other wireless devices via a network);

wherein said simulated message has the appearance of a typical message received from the second device (see figure 12, paragraph [70], disclosing the client device 1201 comprising a simulation engine in the memory of the device, and the device 1201 communicates and responds

accordingly with other wireless devices via a network), and presented via said standard communication functionality (pars [90]-[92], [99], describing the simulation engine interacts with the user device when the user types in not-canned questions in many ways, including changing states of the device, ringing, text, audio, or graphic form, see the provisional application, page 1 lines 14-17, page 5 lines 5-11, page 6 lines 5-10, 17-20, 24-25, page 12 figure 3, page 13 lines 15-19, page 21 lines 18-34).

Consider claim 13, (currently amended) Robarts discloses an apparatus, comprising:

a detection module for detecting an initiation event for establishing a simulated communication (see the abstract, figure 2, pars [12], [41], [68], [69], see the provisional application, page 1 lines 14-17, page 5 lines 5-11, page 6 lines 5-10, 17-20, 24-25, page 12 figure 3, page 13 lines 15-19, page 21 lines 18-34),

a determination module, connected to said detection module for determining properties of said detected initiation event (see pars [11], [40]-[41], [51], [68]-[70], see the provisional application, page 1 lines 14-17, page 5 lines 5-11, page 6 lines 5-10, 17-20, 24-25, page 12 figure 3, page 13 lines 15-19, page 21 lines 18-34);

a received module for receiving messages from at least one other device (see figure 12, paragraph [70], disclosing the client device 1201 comprising a simulation engine in the memory of the device, and the device 1201 communicates and responds accordingly with other wireless devices via a network);

a storage for storing components of simulated messages (figures 6, 10, pars [65]-[66]);

a generation module, connected to said determination module and to said storage module, for generating simulated messages from said stored components in correspondence with said determined properties (pars [36], [41], [51], [72]);

a communication component for presenting said generated simulated messages (pars [92], [96]), and said messages received from said second device (see figure 12, paragraph [70], disclosing the client device 1201 comprising a simulation engine in the memory of the device, and the device

1201 communicates and responds accordingly with other wireless devices via a network);

wherein said communication component comprises said standard communication functionality of the apparatus for presenting said generated simulated messages (pars [92], [96], see the provisional application, page 1 lines 14-17, page 5 lines 5-11, page 6 lines 5-10, 17-20, 24-25, page 12 figure 3, page 13 lines 15-19, page 21 lines 18-34), and

wherein said generated simulated messages have the appearance of a typical message received from said second device via a received module and presented via (see figure 12, paragraph [70], disclosing the client device 1201 comprising a simulation engine in the memory of the device, and the device 1201 communicates and responds accordingly with other wireless devices via a network), said standard communication functionality (pars [90]-[92], [99], describing the simulation engine interacts with the user device when the user types in not-canned questions in many ways, including changing states of the device, ringing, text, audio, or graphic form, see the provisional application, page 1 lines 14-17, page 5 lines 5-11, page 6 lines 5-10, 17-20, 24-25, page 12 figure 3, page 13 lines 15-19, page 21 lines 18-34).

Consider claim 16, (Previously Presented) Roberts discloses a network device for providing data for generating a simulated communication to terminal devices (see the abstract), comprising:

a storage module for storing generation rules for simulated messages, simulated message components and evaluation rules (figure 10, the abstract, pars [55], [64]-[66]),

a communication module for connecting to said communication network and to said terminal devices (figures 6, 10, 12, pars [9], [36], [50], [51], [64], [66], [70]), and

a controller connected to said storage module and to said communication module, for selecting sets of simulated messages components and generation rules for transmitting said selected sets of simulated message components to said terminal devices (figure 12, pars [36]-[37], [69]-[70]);

wherein said simulated messages have the appearance of typical messages of said standard communication functionality of said terminal devices (pars [90]-[92], [99]), which are received at said terminal devices from other devices (see figure 12, paragraph [70], disclosing the client device 1201

comprising a simulation engine in the memory of the device, and the device 1201 communicates and responds accordingly with other wireless devices via a network);

Consider claim 17, (currently amended) Robarts discloses an apparatus, comprising:

means for detecting an initiation event for establishing a simulated communication (the abstract, figure 2, pars [12], [41], [68], [69]);

means, connected to said detection module for determining properties of said detected initiation event (pars [11], [40]-[41], [51], [68]-[70]);

means for storing components of simulated messages (figures 6, 10, pars [65]-[66]);

means for receiving messages via a communication network from a second device (see figure 12, paragraph [70], disclosing the client device 1201 comprising a simulation engine in the memory of the device, and the device 1201 communicates and responds accordingly with other wireless devices via a network);

means, connected to said determination module and to said storage module, for generating simulated messages from said stored component in correspondence with said determined properties (pars [11], [40]-[41], [51], [68]-[70]); and

means for presenting said generated simulated messages (pars [92], [96]),

wherein said means for presenting said generated simulated messages comprises a standard communication functionality of the apparatus for presenting said generated simulated messages (pars [90]-[92], [96], [99]), and said messages received via a communication network (see figure 12, paragraph [70], disclosing the client device 1201 comprising a simulation engine in the memory of the device, and the device 1201 communicates and responds accordingly with other wireless devices via a network); and

wherein said generated simulated messages have the appearance of a typical message received via the means for receiving messages from said second device (see figure 12, paragraph [70], disclosing the client device 1201 comprising a simulation engine in the memory of the device, and



the device 1201 communicates and responds accordingly with other wireless devices via a network) and presented via said standard communication functionality (pars [90]-[92], [96], [99]).

Consider claim 2, (previously presented) The method according to claim 1, Roberts teaches wherein said generating comprises composing said simulated message from said data in correspondence with said determined properties and composing rules stored in said storage (pars [11], [40]-[41], [51], [68]-[70]).

Consider claim 3, (previously presented) The method according to claim 1, Roberts discloses further comprising opening a timeframe after the detection of said initiation event, and presenting said simulated message after the timeframe has closed (par [60]).

Consider claim 4, (previously presented) as applied to claim 1, Roberts discloses receiving data from a provider, data comprises components, fragments of simulated messages and rules for generating said simulated message (see figure 10, pars [36]-[37], [66], [69]-[70], where Roberts discloses information, attributes and behavior of simulated phenomena, the data stored in the repositories in the simulation engine are available through a web servers, thus discloses receiving data from a provider, data comprises components, fragments of simulated messages and rules for generating said simulated message).

Consider claim 5, (previously presented) as applied to claim 1, Roberts et al. disclose said initiation event is a predetermined point of time (see par [51], where Roberts discloses the simulated phenomena attributes data repository 620 typically stores information that is used to characterize and implement the "behavior" of simulated phenomena, responses to interaction requests, for example, attributes may include values for location, orientation, velocity, direction, acceleration, path, size, duration schedule, type, elasticity, mood, temperament, image, ancestry, or any other seemingly real world or imaginary characteristic of simulated phenomena, thus discloses the initiation event is a predetermined point of time).

Consider claim 6, (previously presented) as applied to claim 1, Roberts discloses said initiation event is defined by a reception of a user input or the reception of a message from a provider (see

figures 9, 10, paragraphs [60], [66], where Roberts teaches the mobile device senses values based on the real world environment through an operator input and also teaches information, attributes and behavior of simulated phenomena, the data stored in the repositories in the simulation engine are available through a web servers, thus Roberts teaches said initiation event is defined by a reception of a user input or the reception of a message from a provider).

Consider claim 7, (previously presented) as applied to claim 1, Roberts teaches a method of analyzing and evaluating said initiation event (see par [40], where Roberts discloses the simulation engine responds to such indicated requests by determining whether the indicated interaction request is permissible and performing the interaction request if deemed permissible, so discloses a method of analyzing and evaluating said initiation event).

Consider claim 8, (previously presented) as applied to claim 1, Roberts et al. disclose at least one of said simulated messages comprises at least one advertisement (see para [48], where Roberts teaches the mobile user is led by the Simulate Phenomena Integrated System to the desired physical destination and encouraged to engage in desired behavior, such as paying for the ride, by being "rewarded" by the SPIS according to the narrative, such as becoming eligible for some real world prize once the state of the mobile device is shown to a park operator, many other gaming, training, and computer aided learning experiences can be similarly presented and supported using the techniques of a Simulated Phenomena Interaction System, thus discloses said simulated messages comprises at least one advertisement).

Consider claim 14, (previously presented) as applied to claim 13, Roberts et al. disclose an interface module for receiving data comprising components of said simulated messages and generation rules for generating said simulated messages (see figure 11, numbers 1105, 1106, 1102, 1103, 1107, 1108; pars [69], [73], where Roberts discloses input/output devices 1106, a display 1102, network devices 1106 and environment sensors 1103 are used for interacting, communicating or sensing/detecting the simulated phenomena with the simulation engine, thus disclose an interface

module for receiving data comprising components of said simulated messages and generation rules for generating said simulated messages).

Consider claim 15, (previously presented) as applied to claim 13, Robarts et al. clearly discloses that the said terminal device comprises a mobile phone (see figure 2, number 201, figure 6, numbers 601, 604).

Consider claim 18, (previously presented) as applied to claim 17, Robarts teaches means for receiving data comprising components of said simulated messages and generation rules for generating said simulated messages (see figure 6, numbers 620-624, figures 8 and 9, figure 12, number 1207 and 1220, see pars [11], [40], [41], [52], [55], [59], [60] and [70]).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 19-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robarts et al (US 2004/0002843) and further in view of Hull et al. (US 2004/0224670).

Consider claims 19, 23, (New) The method according to claims 1, 17, Robarts teaches a fat client device 1201 with a built-in simulation engine (see Robarts, figure 12), and the simulation engine comprises various types of data repositories, e.g., user characteristic data, environment characteristic data repositories, so the simulation engine uses for interacting and responding with other computing

devices via a wireless network (see Robarts, figure 6, pp [49]-[53]), thus Robarts discloses a phone data base storage.

Robarts does not show accessing a phonebook. Hull teaches a mobile communication device receives a message, storing the message information to a memory (pp [26]), the device processor accesses to the stored information in a contact list in the device, e.g., name or telephone number list, comparing information from the message with the information stored in the memory and providing status indication information to the device's user accordingly (see Hull, pp [28], [41], [45]), thus Hull discloses accessing a phonebook stored at said mobile terminal and extracting at least one of a name and a telephone number from said phonebook for said simulated message. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify teachings of Robarts by combining teachings of Hull of accessing a phone contact list, comparing information in a received message so responding accordingly, therefore the processor quickly provides necessary status information stored in the device's contact list to the user in timely manner as taught by Hull (see Hull, pp [2]-[7]).

**Consider claim 20, (New)** The method according to claim 1, wherein said detecting said initiation event further comprises:

Robarts does not show intercepting a message. Hull teaches a mobile communication device receives a message, storing the message information to a memory (pp [26]), the device processor accesses to the stored information in a contact list in the device, e.g., name or telephone number list, comparing information from the message with the information stored in the memory and providing status indication information to the device's user accordingly (see Hull, pp [28], [41], [45]), thus Hull discloses intercepting a message, which are received by said terminal device and providing said intercepted message for generation of said simulated message. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify teachings of Robarts by combining teachings of Hull of accessing a phone contact list, comparing information in a received message so responding accordingly, therefore the processor quickly provides necessary status

information stored in the device's contact list to the user in timely manner as taught by Hull (see Hull, pp [2]-[7]).

Consider claim 21, (New) The apparatus according to claim 13, Robarts teaches a fat client device 1201 with a built-in simulation engine (see Robarts, figure 12), and the simulation engine comprises various types of data repositories, e.g., user characteristic data, environment characteristic data repositories, so the simulation engine uses for interacting and responding with other computing devices via a wireless network (see Robarts, figure 6, pp [49]-[53]), thus Robarts discloses a phone data base storage.

Robarts does not show accessing a phonebook. Hull teaches a mobile communication device receives a message, storing the message information to a memory (pp [26]), the device processor accesses to the stored information in a contact list in the device, e.g., name or telephone number list, comparing information from the message with the information stored in the memory and providing status indication information to the device's user accordingly (see Hull, pp [28], [41], [45]), thus Hull discloses a phonebook stored at said mobile terminal, wherein at least one of a name and a telephone number is extracted from said phonebook and provided to said generation module for generating said simulated message. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify teachings of Robarts by combining teachings of Hull of accessing a phone contact list, comparing information in a received message so responding accordingly, therefore the processor quickly provides necessary status information stored in the device's contact list to the user in timely manner as taught by Hull (see Hull, pp [2]-[7]).

Consider claim 22, (New) The apparatus according to claim 13, Robarts teaches a fat client device 1201 with a built-in simulation engine (see Robarts, figure 12), and the simulation engine comprises various types of data repositories, e.g., user characteristic data, environment characteristic data repositories, so the simulation engine uses for interacting and responding with other computing devices via a wireless network (see Robarts, figure 6, pp [49]-[53]), thus Robarts discloses a phone data base storage.

Robarts does not show a message received by said apparatus is intercepted. Hull teaches a mobile communication device receives a message, storing the message information to a memory (pp [26]), the device processor accesses to the stored information in a contact list in the device, e.g., name or telephone number list, comparing information from the message with the information stored in the memory and providing status indication information to the device's user accordingly (see Hull, pp [28], [41], [45]), thus Hull discloses a message inbox, from which a message received by said apparatus is intercepted and provided to said generation module for generating said simulated message. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify teachings of Robarts by combining teachings of Hull of accessing a phone contact list, comparing information in a received message so responding accordingly, therefore the processor quickly provides necessary status information stored in the device's contact list to the user in timely manner as taught by Hull (see Hull, pp [2]-[7]).

Consider claim 24, (New) The apparatus according to claim 17, Robarts teaches a fat client device 1201 with a built-in simulation engine (see Robarts, figure 12), and the simulation engine comprises various types of data repositories, e.g., user characteristic data, environment characteristic data repositories, so the simulation engine uses for interacting and responding with other computing devices via a wireless network (see Robarts, figure 6, pp [49]-[53]), thus Robarts discloses a phone data base storage.

Robarts does not show intercepting an incoming message. Hull teaches a mobile communication device receives a message, storing the message information to a memory (pp [26]), the device processor accesses to the stored information in a contact list in the device, e.g., name or telephone number list, comparing information from the message with the information stored in the memory and providing status indication information to the device's user accordingly (see Hull, pp [28], [41], [45]), thus Hull discloses means for storing an incoming message received by said apparatus and means for intercepting said incoming message and providing said intercepted message to said means for generating said simulated message.. Therefore, it would have been obvious to a person of ordinary skill

in the art at the time of the invention was made to modify teachings of Robarts by combining teachings of Hull of accessing a phone contact list, comparing information in a received message so responding accordingly, therefore the processor quickly provides necessary status information stored in the device's contact list to the user in timely manner as taught by Hull (see Hull, pp [2]-[7]).

### *Conclusion*

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUY C. HO whose telephone number is (571)270-1108. The examiner can normally be reached on Monday - Friday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Huy C Ho/

Examiner, Art Unit 2617

/Charles N. Appiah/  
Supervisory Patent Examiner, Art Unit 2617